

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAVIER NIETO

Defendant.

8:18CR267

**ORDER**

This matter is before the court on the defendant's Unopposed Motion to Continue [26]. The parties are engaged in plea negotiations and seek additional time to resolve this matter short of trial. Accordingly,

**IT IS ORDERED** that the defendant's Unopposed Motion to Continue [26] is granted as follows:

1. The jury trial, now set for March 26, 2019, is continued to **June 4, 2019**.

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and June 4, 2019**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

Dated this 26<sup>th</sup> day of March 2019.

BY THE COURT:

s/Susan M. Bazis  
United States Magistrate Judge